

AMENDMENT TO RULES COMMITTEE PRINT 118-

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OFFERED BY MS. SLOTKIN OF MICHIGAN

At the end of title XVIII, add the following:

1 **SEC. ____ . TREATMENT OF ACTIONS UNDER PRESIDENTIAL**
2 **DETERMINATION 2022-11 FOR FEDERAL PER-**
3 **MITTING IMPROVEMENT PURPOSES.**

4 (a) **IN GENERAL.**—Except as provided by subsection
5 (c), an action described in subsection (b) shall be—

6 (1) treated as a covered project, as defined in
7 section 41001(6) of the FAST Act (42 U.S.C.
8 4370m(6)), without regard to the requirements of
9 that section; and

10 (2) included in the Permitting Dashboard main-
11 tained pursuant to section 41003(b) of that Act (42
12 U.S.C. 4370m-2(b)).

13 (b) **ACTIONS DESCRIBED.**—An action described in
14 this subsection is an action taken by the Secretary of De-
15 fense pursuant to Presidential Determination 2022-11
16 (87 Fed. Reg. 19775; relating to certain actions under
17 section 303 of the Defense Production Act of 1950) or
18 the Presidential Memorandum of February 27, 2023, ti-
19 tled “Presidential Waiver of Statutory Requirements Pur-

1 suant to Section 303 of the Defense Production Act of
2 1950, as amended, on Department of Defense Supply
3 Chains Resilience” (88 Fed. Reg. 13015) to create, main-
4 tain, protect, expand, or restore sustainable and respon-
5 sible domestic production capabilities through—

6 (1) supporting feasibility studies for mature
7 mining, beneficiation, and value-added processing
8 projects;

9 (2) byproduct and co-product production at ex-
10 isting mining, mine waste reclamation, and other in-
11 dustrial facilities;

12 (3) modernization of mining, beneficiation, and
13 value-added processing to increase productivity, envi-
14 ronmental sustainability, and workforce safety; or

15 (4) any other activity authorized under section
16 303(a)(1) of the Defense Production Act of 1950
17 (50 U.S.C. 4533(a)(1)).

18 (c) EXCEPTION.—An action described in subsection
19 (b) may not be treated as a covered project or be included
20 in the Permitting Dashboard under subsection (a) if the
21 project sponsor (as defined in section 41001(18) of the
22 FAST Act (42 U.S.C. 4370m(18))) requests that the ac-
23 tion not be treated as a covered project.

